

SPECIAL ATTACHMENT FOR THE AGENDA OF June 7, 2016

SUBMITTED BY: The Acting City Attorney

RECOMMENDED BY: The Director of Planning, Engineering, and Permits

A brief synopsis and explanation of the following:

Resolution _____

Ordinance X

Other

PUBLICATION REQUIRED: YES X NO _____

IF YES, NOTE **ALL** PUBLICATION INSTRUCTIONS/REQUIREMENTS:

Usual publication after adoption for ordinances of permanent operation.

An Ordinance to amend the Technical Code of the City of Birmingham, 2015, Article I, "Technical Codes", Part 2, "Administration", Section 105.4, "Inspections Prior to Issuance of Certificate of Occupancy or Completion", Section 111.3.11, "Apprentice Registration" and Section 111.3.12, "Renewal of Certificate of Registration"; Article V, "Permit and Inspection Fees"; and Article VII, "Fire Permit Fees" to revise fees charged for certain permits and services, effective July 1, 2016.

RECOMMENDED BY: THE DIRECTOR OF PLANNING, ENGINEERING, AND PERMITS

SUBMITTED BY: THE ACTING CITY ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE TECHNICAL CODE OF THE CITY OF BIRMINGHAM, 2015, ARTICLE I, "TECHNICAL CODES", PART 2, "ADMINISTRATION", SECTION 105.4, "INSPECTIONS PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY OR COMPLETION", SECTION 111.3.11, "APPRENTICE REGISTRATION" AND SECTION 111.3.12, "RENEWAL OF CERTIFICATE OF REGISTRATION"; ARTICLE V, "PERMIT AND INSPECTION FEES"; AND ARTICLE VII, "FIRE PERMIT FEES" TO REVISE FEES CHARGED FOR CERTAIN PERMITS AND SERVICES, EFFECTIVE JULY 1, 2016.

SECTION 1. BE IT ORDAINED by the Council of the City of Birmingham that the Technical Code of the City of Birmingham, 2015, Article I, "Technical Codes", Part 2, "Administration", Section 105.4, "Inspections Prior to Issuance of Certificate of Occupancy or Completion", Section 111.3.11, "Apprentice Registration" and Section 111.3.12, "Renewal of Certificate of Registration"; Article V, "Permit and Inspection Fees"; and Article VII, "Fire Permit Fees" be and hereby are amended to revise fees charged for certain permits and services and to read as follows:

"105.4 Inspections Prior To Issuance of Certificate of Occupancy or Completion. The Building and Fire Officials shall inspect or cause to be inspected at various intervals all construction or work for which a permit is required, and a final inspection shall be made of every building or structure upon completion, prior to the issuance of the Certificate of Occupancy, as required in Section 106. Where any additional or extra inspection is required on any undertaking due to the failure of the permit holder to comply with the provisions of this Code, a "Special Inspection Permit" shall be obtained for each such inspection and there shall be an additional charge of \$50.00 for each such permit and inspection.

"111.3.11 Apprentice Registration. Any person who shall apply for registration as an apprentice electrician upon form provided for that purpose by the City, shall be registered as such by the Chief Electrical Inspector without examination for the next succeeding calendar year upon payment to the Director of Finance of an annual fee of thirty five dollars (\$35.00).

"111.3.12 Renewal of Certificate of Registration. Every certificate of registration, whether master's or journeyman's, and whether original or renewal, shall be issued for only the calendar year in which issued and dated, and shall be of no force or effect in any subsequent calendar year. Any holder of an unrevoked and unsuspended master's certificate for the current or preceding five (5)

calendar years shall be entitled to a renewal certificate without examination for the next succeeding calendar year upon payment to the Director of Finance of a renewal fee of fifty dollars (\$50.00) for each of the preceding and current years. It shall be unlawful for any person to engage in the business of master electrician or electrical contractor in any period in which he does not hold an unrevoked and unsuspended master's certificate. Any holder of an unrevoked and unsuspended journeyman's certificate for the current or preceding five (5) calendar years shall be entitled to a renewal certificate without examination upon payment to the Director of Finance of a renewal fee of thirty five dollars (\$35.00) for each of the preceding and current years. It shall be unlawful for any person to engage as a journeyman in any period in which he does not hold an unrevoked and unsuspended journeyman's certificate. A person may renew an unexpired registration by paying to the board before the expiration date of the registration the required renewal fee. If a person's registration has been expired for not longer than 90 days, the person may renew the registration by paying to the board the required renewal fee and a fee that is one-half of the examination fee for the registration. If a person's registration has been expired for longer than 90 days but less than two years, the person may renew the registration by paying to the board all unpaid renewal fees and a fee that is equal to the examination fee for the registration. If a person's registration has been expired for two years or longer, the person may not renew the registration. The person may obtain a new registration by submitting to re-examination and complying with the provisions for obtaining an original registration. Any holder of an unrevoked and unsuspended maintenance electrician's certificate for the current or preceding calendar year shall be entitled to a renewal certificate without examination for the next succeeding calendar year, upon payment to the Director of Finance of a renewal fee of thirty five dollars (\$35.00). It shall be unlawful for any person to engage as a maintenance electrician for any person, firm, company, or corporation in any period in which he does not hold an unrevoked and unsuspended maintenance certificate."

SECTION 2. BE IT FURTHER ORDAINED by the Council of the City of Birmingham that the Technical Code of the City of Birmingham, 2015, Article V, "Permit and Inspection Fees"; be and hereby is amended to revise fees charged for certain permits and services and to read as follows:

"ARTICLE V

"PERMIT AND INSPECTION FEES

"GENERAL

"In calculating permit fees, the minimum charge for any permit will be no less than seventy-five dollars (\$75.00) regardless of the amount hereafter indicated for individual items. Belated billing charges shall be double the regular fee but in no case less than double the minimum indicated above.

"Reinspection fees

(When necessitated by faulty materials, equipment, apparatus or workmanship)

"Per inspection	\$75.00
"All additional reinspections, each.....	\$75.00
"Address correction	\$75.00

“Consultation Fee	\$100.00
“Delayed Inspection Fee	\$25.00
“Belated Billing Fee – a belated billing fee shall be a second billing for work or services where more than 30 days have expired since the date of the original fees due notice.....	\$25.00

“Weekends or After Hours Inspections:

Fees for after-hours or weekend inspections shall be in addition to all other fees. The minimum fee shall be \$40.00 for the first hour of portion thereof, plus \$50.00 for each additional hour or portion thereof. Travel time will be added to the inspection time. When not in conjunction with normal working hours (weekend/holidays), the minimum fee shall be \$200.00 for the first four hours or portion thereof.

“Refunds of the permit fee:

The Director of Finance of the City of Birmingham is authorized to make refund of amounts paid for permits issued under this Code at any time within ninety (90) days after the issuance of said permits provided the Director of the Department of Planning, Engineering and Permits, or such other department which may be assigned by ordinance of the City Council the duty of enforcing this Code, certifies to said Director of Finance as follows:

- a) That the permit for which the refund is requested has been canceled and no work begun there under and the permit was issued in error by the City, not the Applicant; or,
- b) That the inspection for which a refund of fee theretofore paid is requested, has not been made and is not to be made. Any refund made under the provision of this section shall be subject to an administrative charge of one hundred (\$100.00), which amount shall be deducted from the amount of refund. Unless a written request and the permit holder's copy of the permit has been submitted to the Director of the Department of Buildings and Inspection, or such other department which may be assigned by ordinance of the City Council the duty of enforcing this Code, within ninety (90) days from the date of issuance of such permit, no refund will be made.
- c) **Fire Permits** (see Article VII): That the inspection for which a refund of fee theretofore paid is requested, has not been made and is not to be made. Any refund made under the provision of this section shall be subject to an administrative charge which shall be the Fire Permit fee as set out in Article VII, Fire Permit Fees, which amount shall be deducted from the amount of refund. A written request and the permit holder's copy of the permit has to be submitted to the Fire Official within ninety (90) days from the date of issuance of such permit, or no refund will be made.

“Revised Plans

A minimum fee of \$75.00 for a maximum of three pages, plus \$10.00 for each additional page shall be paid for the submittal of revised plans after a permit is issued and shall be in addition to any other required fees.

“Investigations:

For investigations or inspections necessary to determine compliance with other codes and ordinances of the City of Birmingham when required by law and a fee schedule is not otherwise established a minimum fee of \$100.00.

“Records Research \$100.00 minimum fee plus \$50.00 per hour or part thereof after.

“Building Permit fees:

Building permit fees shall be determined at a rate of \$9.50 per \$1000 valuation. This does not include other fees required by other departments or agencies.

“BUILDING PERMIT FEES

“FEE SCHEDULE

**“Heating apparatus, incinerators, boilers
burning solid or liquid fuel and air
conditioners, or
evaporator air coolers**See Building permits

“AwningsSee Building permits

“Suppression and Fire Detection SystemsSee Building permits
Fire Sprinkler Systems, Fuel Tanks, Fire Alarm Systems, and Fire Extinguishing Systems

“Gasoline Dispensers
Permit to install a gasoline dispenser/meter\$100.00

“Reinspection fee on a new gasoline dispenser installation shall be the same as the cost of the original permit.

“Signs Permit fee for all signs listed include both an application fee and a sign face fee. The total fee amount for any sign is the sum of the two component fee items:

“A. Sign Application Fee

- 1. To erect a sign of any type except a roof sign or outdoor advertising sign (off-premise billboard).....\$125.00
- 2. To erect a roof sign.....\$150.00
- 3. To erect an outdoor advertising sign (off-premise billboard).....\$200.00
- 4. Reader board, message board (any sign with rolling or static script), animated, or video display:

- a. Additional fee per sign face.....\$75.00
- b. Additional fee per sign face for off-premise billboard..... \$200.00

Plus

“B. Sign Face Fee.....\$0.75 per square foot of sign face

“C. Annual Fees

“Annual fees must be paid by January 31st of each year.

“Off Premise Sign Annual Fee..... \$200.00

“Portable Ground Signs. An annual fee of \$100.00 shall be paid for all portable signs and the fee for the first year shall be paid at the time of permit issuance and shall be in addition to all other fees

“Moving of Buildings

Permit to move a building through or across any public street, alley, or highway\$200.00

“New Certificate of Use & Occupancy

Applications for a new Certificate of Use & Occupancy when the occupancy of any building or structure is changed or when a building or structure has been condemned by City Council shall require the payment of a \$200.00 inspection fee at the time of application unless a building permit for alterations exceeding \$10,000 is issued.

“Duplicate Certificate of Use & Occupancy

For the issuance of any duplicate Certificate of Use & Occupancy\$100.00

“Tents

Permits for a temporary commercial or assembly tent – thirty-day maximum \$100.00

“Parking Lots

For the installation of commercial parking lots and off-street parking areas when the installation is not included as a part of an active building permitSee Building Permits (Exception: off-street parking areas for one and two family dwellings.)

“Temporary structures, other than for construction, \$100.00 for each six-month period of approval.

“Partial permits (Article I – Sec. 103.4.4), \$50.00 plus the fee for the Building permit.

“Demolition Permit

“Class I Demolition	\$150.00
“Class II Demolition	\$0.50 per 1,000 cubic feet (\$750.00 minimum)

“PLUMBING PERMIT FEES

“See permit application for Fee Schedule	
“Minimum permit fee.....	\$75.00

“GAS PERMIT FEES

“See permit application for Fee Schedule	
“Minimum permit fee.....	\$75.00

“ELECTRICAL PERMIT FEES

“See permit application for Fee Schedule	
“Minimum permit fee.....	\$75.00

“MECHANICAL PERMIT FEES

“See permit application for Fee Schedule	
“Minimum permit fee.....	\$75.00

“ELEVATOR PERMIT FEES

“New installations	Per State Regulations
“Erection of Personnel Hoists	\$100.00
“Reinspection of Personnel Hoist	\$100.00”

SECTION 3. BE IT FURTHER ORDAINED by the Council of the City of Birmingham that the Technical Code of the City of Birmingham, 2015, Article VII, “Fire Permit Fees” be and hereby is amended to revise fees charged for certain permits and services and to read as follows:

“ARTICLE VII

“FIRE PERMIT FEES

“Fire Hydrant Use	\$75.00
“Bonfires	\$75.00

“Fireworks, Pyrotechnics, Special Effects Permit	\$75.00
“Each additional day – same event	\$25.00
“Hydrant flow tests	\$75.00 per hydrant
“Flow Test Calculations	\$ 50.00
“Fuel tank removal (underground and aboveground)	\$100.00 per tank
“ Weekend, and After Hours Inspections:	See Article V

“**Demonstrations, Special Events or Exhibit Inspections:**

“\$200.00 shall be paid for the first four (4) hours or portion thereof, plus an additional \$50.00 for each additional hour or portion thereof thereafter, during the course of the public demonstration, special event or exhibit at which regulated materials are to be utilized. The length of inspection time shall be determined based upon the length of the public event subject to this section at the time of the application. Travel time will be added to the Inspection time.

“**Re-Inspection Fees**

“Existing Occupancies: whenever more than two (2) re-inspections are required to assure compliance with original fire inspection, a permit shall be required.....\$75.00

“New Construction and Permits issued under FS, FF, FA, FE or FI: re-inspection due to faulty materials, equipment, apparatus, or workmanship.....**See Article V**

“**Records and Documents**

“Copy of Records/Reports	\$10.00 per copy
“pages 1 through 25	\$2.00 per page
“pages 26 and above	\$1.00 per page
“Copy of Photos	\$15.00 per photo”

SECTION 4. SEVERABILITY. The provisions of this ordinance are severable. If any part of this ordinance is determined by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, such determination shall not affect any other part of this ordinance.

SECTION 5. EFFECTIVE DATE. This ordinance shall be effective July 1, 2016 or when published as required by law, whichever date is later.